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 CITY AND COUNTY OF SAN FRANCISCO, ANTHONY  
 IRONS, MICHAEL QUAN, AND ALAN WONG

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MITCHELL ENGINEERING, a California  
 corporation,

Plaintiff,

v.

CITY AND COUNTY OF SAN  
 FRANCISCO, [a political subdivision of  
 the State of California], ANTHONY  
 IRONS, in his individual and official  
 capacity, MICHAEL QUAN, in his  
 individual and official capacity, ALAN  
 WONG, in his individual and official  
 capacity,

Defendants.

No. CV 08-4022 SI

**[PROPOSED] ORDER DISMISSING ALL  
 CLAIMS AGAINST DEFENDANTS  
 MICHAEL QUAN AND ALAN WONG  
 WITH PREJUDICE**

Action Filed: August 22, 2008  
 Trial Date: August 30, 2010

1 In response to Plaintiff Mitchell Engineering's filing of a Notice of Voluntary Dismissal of  
2 Defendants Michael Quan and Alan Wong without prejudice on May 14, 2010 and Defendants  
3 Quan's and Wong's Motions for Summary Judgment filed that same day, which objected to their  
4 dismissal without prejudice, and pursuant to Federal Rule of Civil Procedure 41(a)(2), the Court  
5 hereby orders all claims against Defendants Michael Quan and Alan Wong dismissed with  
6 prejudice. This dismissal with prejudice is subject to the following conditions: (1) the right to  
7 pursue fees and costs for Defendants Quan's and Wong's defense and all potential claims against  
8 Plaintiff Mitchell Engineering are preserved, and (2) during trial, Plaintiff Mitchell Engineering is  
9 precluded from referring to purported constitutional violations by Defendants Quan and Wong  
10 and any evidence referring or relating to them.

11  
12 IT IS SO ORDERED

13  
14 DATED: August \_\_\_, 2010



15 THE HONORABLE SUSAN ILLSTON  
16 JUDGE OF THE U.S. DISTRICT COURT  
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